



United States Environmental
Protection Agency
Region 5

October 16, 1996

MEMORANDUM:

SUBJECT: RCRA Inspection at Gary Development Company, Inc.
Landfill IND 077 005 916

FROM: Michael J. Mikulka
Senior Environmental Engineer
Waste, Pesticides and Toxics Division

A handwritten signature in dark ink, appearing to read "Michael J. Mikulka".

TO: File

On September 26, 1996, I conducted a Compliance Schedule Inspection at the Gary Development Company, Inc. (Gary Development) landfill facility in Gary, IN, to determine if the facility had taken any of the actions required in the Order issued by Administrative Law Judge Greene on April 8, 1996, and affirmed by EPA's Environmental Appeals Board (EAB). A team of representatives from the State of Indiana (Bob Blaesing, Bob Lamprecht, and Bill Burns, IDEM, and Larry Osterholz, IDNR) met me at the site, as the inspection was part of a coordinated multi-media effort. We were later joined by Mike Kuss and Bill Bayliss of IDEM's water program. Separate reports will be developed by state staff for the inspection.

It was raining steadily at the time of our arrival, and throughout the inspection. The team initially met with Larry Hagen, Jr. facility on-site representative, and an employee of Gary Development. I presented my credentials to Mr. Hagen, and he asked that we sign in. He also requested that any written report from the inspection or any photos taken be sent to his attorney, Steve Cherry of the Indianapolis law firm of Bose McKinney and Evans, 317-684-5105. He advised that the company still contends it is not a hazardous waste landfill and are not subject to hazardous waste regulation. They have filed an appeal of the EAB denial of their appeal to the District Court.

Prior to the inspection, I had reviewed the Gary Development RCRA file, including the report of the last inspection conducted by Bob Blaesing of IDEM on February 1, 1995. Bob Blaesing asked Mr. Hagen whether or not anything had changed since that inspection. Mr. Hagen indicated that nothing had changed.

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To	Lily McKinney	From	M. McKinney
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I asked Mr. Hagen whether or not Gary Development intended to comply with any portion of the EPA order. He said he was just an employee of Gary Development, and such questions should be referred to his attorney. I had seen no evidence of the "Danger" signs required by paragraph F of the Order as I entered the facility.

Gary Development reportedly monitors ground water on a quarterly basis and sends the analytical results to IDEM, per Mr. Hagen. Mr. Hagen also reported that during 1996, 13 wells were installed with the intent to recover landfill gas for sale to NIPSCO. A company called Resource Technologies of Chicago, IL was the contractor. A plant was to be set up to clean the gas prior to sale. As of now, the wells have been installed and capped. Bob Blaesing of IDEM asked what has happened with the drilling mud and other materials when the wells were drilled. Mr. Hagen responded that the contractor hauled the material off-site. He did not know where it went. Blaesing also asked if there has been any activity related to leachate collection. Mr. Hagen indicated that there has been no recent activity. Per his knowledge, all leachate drains to the north of the landfill to a pond. He does not go over there to see what becomes of it.

Mr. Hagen reported that the facility is owned by Gary Development, Inc., a corporation. There are reportedly 5 stockholders, including Mr. Hagen's father. Another stockholder is a William Maninni.

Hagen claimed that 90% of the business of Gary Development was from municipal waste. The City of Hammond was its biggest customer.

Hagen comes to the site each day, and can be reached by calling the site if access is desired. If he is not there, leave a message on the machine. The facility is usually locked and guarded. If unguarded, material will be dumped at the site by other parties. A load of material had been dumped outside the gate recently.

I walked the site with Bob Blaesing of IDEM. There were no "Danger" signs posted along the site perimeter as required by paragraph F of the Order. We went up onto the landfill, and observed one of the recovery wells. Although capped, the pipe had been broken just below the cap, and gas was escaping. The wells appeared to be 8" (estimated) PVC pipe. There is no soil cover on the cap to prevent erosion or to maintain integrity of the cap. The landfill is capped with a clay layer, which appeared to be about 2 feet thick. Much of the site is devoid of vegetation, and the rest is covered with weeds. There is a severe erosion problem at the site. Sheet runoff has created rills in the cap, which range from an estimated 4-6 inches to over 18 inches deep. The runoff picks up the clay as it moves off the cap and embankments, further eroding the site. We walked the entire landfill from the west side to the east side, on the south side along the Grand Calumet River. From the top of the landfill we could clearly see that the River adjacent to the

facility was being discolored brown due to clay laden site runoff from the facility. The runoff either occurs as sheet flow , or is channeled into the River or adjacent wetlands through the rills that have formed. A ponded wetland area adjacent to the road as it inclines up onto the landfill appeared to be acting as a filter for some of the runoff.

As we walked off the landfill towards the west back towards the office, small berms on both sides of the road were observed. These berms had been breached by runoff from the facility and the road, such that runoff could flow freely to the Grand Calumet River. It appeared that the road had been graded to create the berms on either side of the road. The berms appeared to be composed of clay material that had eroded from the landfill cap. Several front-end loader loads were observed to have been dumped into wetlands adjacent to the river. Upon return to the office, it was confirmed with Mr. Hagen that the berms were material that had accumulated on the road, which had been graded off to allow vehicle access. This is periodically necessary, per Mr. Hagen.

It is noted that the leachate collection pond referred to by Mr. Hagen could not be observed, due to heavy vegetation along the bank which prohibited safe access. IDEM had reportedly taken air photos of the pond the prior day, per Bob Lamprecht.

Upon departure from the facility, I drove to the bridge going over the Grand Calumet River to the west of the site. The brown plume created in the river by the facility was being pushed further into the center of the channel due to runoff from the road and the bridge. Across the bridge, under Cline Avenue, I observed that a number of loads of material had been dumped, including concrete and asphalt.